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Remarks

The present response is to the Office Action mailed in the above-referenced case on February 02, 2006. Claims 16-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the reference Draginich of record in view of the newly presented reference of Orton et al. (U.S. 6,678,735), hereinafter Orton. Applicant has carefully studied the prior art presented by the Examiner, and the Examiner's rejections and statements of the instant Office Action. In response applicant herein provides argument that the prior art cited and applied by the Examiner in this case does not a obviate applicant's claims, and to establish that the claims in their present form clearly and unarguably distinguish applicant's invention over that of the prior art teachings. Applicant points out and argues the key limitations of applicant's independent claims, which the still Examiner appears to misunderstand in his rejections and statements.

Firstly, applicant wishes to note that the examination in this case is unusual and drawn out, and has become quite expensive to the applicant. After an initial three rounds of examination the applicant filed a Notice of Appeal on December 13, 2004 in response to the Office Action in the case dated October 04, 2004 which maintained the previous Final rejection of the claims over Wengrovitz. In response to the Appeal filed by applicant on January 06, 2005, the arguments presented were deemed persuasive, and the Final rejection was withdrawn and the case reopened for continued prosecution. A new rejection was issued, presenting the new art of Draginich, in another Final rejection of the claims in the Office Action dated February 24, 2005.

Applicant was caused after now four rounds of prosecution in the case to file a second Appeal Brief, filed January 06, 2005, arguing that the previously cited reference of Draginich that because shifting the location of the protocol conversion from the call server to the routing controller certainly would produce unexpected results, and therefore does not merely constitute a design choice. The claimed invention of the present application teaches and claims routing the communication events through intelligence provided by a <u>CTI server of the communications center</u>, characterized in that the

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reformatting mechanism converts the SIP routing requests into a non-SIP protocol understood by the <u>CTI server</u>.

Applicant arguments were again deemed persuasive and the rejection was withdrawn in the next Official Action dated February 02, 2006. The case was reopened for examination and <u>yet new grounds</u> for rejection of the claims were presented relying on the reference Draginich of record in view of the new reference of Orton.

Applicant has worked diligently and at considerable expense both to prosecutors and the applicant in the previous six rounds of prosecution, and has successfully overcome each and every one of the examiners numerous previous rejections, by canceling the original claims and presenting a new set of claims, and extensive claim amendments and arguments, including two Appeal Briefs, both of which were persuasive. In the present Office Action the Examiner has yet again presented new grounds of rejection relying on newly presented art which applicant believes should have and could have been presented by the Examiner much earlier in the examination phase. The applicant is reasonably wondering if this process really works, or if we may just go on until the applicant runs out of funds, and cannot continue. Every time we seem to have prevailed, we just get a NEW rejection.

In applicant's previous response filed November 30, 2005 as APPEAL BRIEF (second), applicant gave substantial argument to the Board that Draginich does appear to merely suggest SIP messaging, and that the Draginich call server 22 is simply a well-know call server, and clearly does not provide the enhanced intelligence and functionality of the CTI server of the claimed invention, including conversion of SIP to non-SIP protocols understandable by the CTI server. Appellant argued that simply because Draginich teaches that call server 22 communicates with different telephony protocols does not imply SIP to non-SIP protocol conversion, as in the claimed invention. Call server 22 may have some intelligence common in typical call servers well known in the art, but clearly does not possess the capabilities of the CTI server of the claimed invention, which routes the communication events through intelligence provided by a <u>CTI server</u> of the communications center, characterized in that the reformatting mechanism

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converts the SIP routing requests into non-SIP protocol understood by the CTI server. Applicant's arguments were persuasive and the rejection over Draginich and the Finality of the rejection were withdrawn. The Examiner has raised new grounds of rejection in the present Action, relying on the newly presented reference of Orton to teach SIP-to-non-SIP conversion performed within the call center.

Applicant respectfully disagrees with the Examiner's interpretation of Orton as teaching or suggesting true SIP-to-non-SIP conversion performed within the call center. Applicant has carefully reviewed the portion of the Orton reference (col. 2, lines 10-30, and col. 5, line 6 to col. 6, line 14) relied on by the Examiner for teaching this aspect now admitted to be deficient in Draginich. Although Orton does teach accommodating a plurality of client applications running under different programming languages and application message formats, and suggests conversion of simplified SIP messages into a client application message, applicant argues that Orton still does not teach a very important aspect of applicant's invention; that is, that conversion of SIP routing requests into non-SIP routing requests understood by the CTI server are performed at the communication call center.

Orton teaches, with reference to Figs. 3 and 4, that the SIP management module strips the SIP message of the routing information and stores the routing information in memory, and the resulting simplified SIP message is forwarded to the X-SIP client module (310, Fig. 3 and 415, 425, 435, Fig. 4) and the X-SIP client module then converts the simplified SIP message into a client application message. The conversion of the message from SIP to non-SIP protocol takes place at the client module, not at the communication center as in applicant's invention. Therefore, Orton is incapable of intelligent routing of the re-formatted request because the format conversion takes place at the client module, not at the communication center by way of an enhanced routing server, as in applicant's invention and claims. Orton, in fact, does not teach a communication center or any kind or intelligent routing in a communication center at all, and applicant argues therefore that the teachings of Orton is not in analogous art, and placing the conversion mechanism of Orton from a client module to a communication

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center, as in applicant's invention clearly does not constitute merely a design choice; rather, intelligent routing of the event takes place after conversion from SIP to non-SIP format, unlike Orton, wherein routing to the client module takes place, and then re-formatting takes place at the client module after routing of the event.

Applicant's invention teaches and claims conversion of SIP communication events from SIP to non-SIP protocol understood by the CTI server at the communication center, wherein intelligent routing for the event may take place at the communication center by the central telephony switch (413, Fig. 4) enhanced by the unique functionality of the CTI server (T-server 412). Referring to applicant's Fig. 4, the user 419 may access server 418 and then be provided with applicable client software or he or she may already have the appropriate software installed as a resident program. Filling out an electronic form using FF 421 and submitting the form while connected online with server 418 causes a telephony event request to be initiated having an SIP header and the completed form as the body of the SIP message. The SIP event arrives at server 410 where SW 411 parses the message for content and separates the header information and content (form data) from the SIP message.

The parsed data is then re-formatted into language understood by the CTI server (T-server 412) and sent as a routing request to the server. Record of the event remains at server 410 until a response is received from T-server 412 concerning routing determination. T-server 412 executes any applicable routing routines using the re-formatted SIP data and sends a routing result or recommendation back to server 410. In some embodiments T-server 412 consults with server 423 for any information required for optimizing a best determination for routing the particular event.

Server 410 receives a routing determination from sever 412, and then routes the target event to an available agent or system based on the response. All SIP functionality built into SW 411 can be leveraged to provide information that is useful for establishing a successful connection.

Therefore, applicant strongly believes that independent claims 16 and 22 in their present form, which both recite determining routing for the communication event after

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conversion of the event from SIP to non-SIP format, clearly and unarguably distinguish over the combined references of Draginich and Orton, either singly or in combination, because applicant's invention has the obvious and advantageous distinction of providing the ability to send a telephony event along with a routing request using different protocols, as well as the ability at the routing destination of the routing event to interpret the event as being of SIP protocol, and then converting the event data into the data type recognizable by the CTI server, such that the CTI server may then provide and return intelligent routing decisions for the event of the SIP request, based on the routing rules already conventionally established or the entire call center. Independent claims 17-21 and 23-27 are then patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims standing for examination as argued above by applicant have been demonstrated to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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